

REMARKS

Claims 1, 2, and 9 have been amended. Claim 7 and 14-19 have been cancelled without prejudice. Thus, claims 1-6, and 8-13 are pending in the application. The Examiner rejected claims 1-19 in the above mentioned Office Action.

Claim Rejections Under 35 U.S.C. §102

Claims 1-16, and 19 have been rejected under 35 U.S.C. §102(b) as being anticipated by Lenz. Applicant amended all independent claims to more clearly define the present invention. Therefore, Applicant respectfully disagrees. Independent claims 1, 9 and 14 include limitations neither disclosed nor suggested by Lenz.

According to the independent claims, an evaluation of possible fault conditions is performed. To this end, the relationship of input values and associated predetermined output values is determined. For example, a specific input value is supposed to generate a predetermined output value. Sensors supply the actual output values. The system then generates possible fault conditions if these output values are not reached. According to these relationships between input and output values, different weight values for each possible fault condition are determined. The specification discloses such a scenario, for example, on page 17, line 23 to page 18, line 8. The input and output values received indicate a fault within the system. However, different elements of the system can be the reason of the fault. As disclosed, for example, a component or a sensor can be faulty. According to the invention, the likelihood for each component or sensor at fault is indicated.

Lenz does neither disclose nor suggests such a method. Lenz merely discloses the indication of fault based on a sensor value which is, for example, below a specified threshold. See in particular paragraphs [0032] - [0038]. No weighting takes place. The system merely searches previously stored attributes and compares these attributes with received sensor values. The system then either generates a control value based on a relationship and sends it to the system to correct a specific function or determines that the system is at fault. However, no evaluation which component might be responsible for the fault takes place.

Claims 14-18 have been rejected under 35 U.S.C. §102(b) as being anticipated by Ramadei. Applicant canceled claims 14-18 without prejudice.

The dependent claims include all the limitations of the respective independent claims 1 and 9. Thus, these claims are at least patentable to the extent of the independent claims to which they refer.

SUMMARY

In light of the above remarks, reconsideration and withdrawal of the outstanding rejection is respectfully requested. Applicant further requests to defer any necessary amendment of the drawings until allowance of the claims. Early notice of the allowance is earnestly solicited. Should the Examiner have any questions, comments or suggestions in furtherance of the prosecution of this application, the Examiner is invited to contact the agent of record by telephone or facsimile. If there are any fees due with the filing of this Response, including any fees for an extension of time, Applicants respectfully Petition the Commissioner for such an extension and direct that any and all fees be charged to Baker Botts L.L.P., Deposit Account No. 02-0383, (*formerly Baker & Botts, L.L.P.*,) Order Number 071308.0419.

Respectfully submitted,

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